IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Jack WASSOM et al.	Art Unit	: 2173
Serial No.	: 09/224,211	Examiner	: Ba Huynh
Filed	: December 30, 1998		
Title	: CUSTOMIZED USER INTERFACE		

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
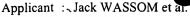
RECEIVED

MAY 1 2 2004

Technology Center 2100

REPLY BRIEF

Pursuant to 37 CFR 1.193(b)(1), Applicant responds to the new points raised in the Examiner's Answer as follows.

First, neither Moody nor Okada, alone or in combination, teach changing an existing collection of user interface controls by <u>removing</u> a user interface control, as recited in claims 8 and 36. The Examiner argues that Moody and Okada <u>transform</u> a user interface control. Transforming a control visually or audibly is not the same as removing the control altogether. Claims 8 and 36 plainly recite that the control must be removed. Because Okada fails to remove a user interface control, Okada does not effect a child-friendly, age-appropriate interface. A child can still perform the same forbidden functions by using a control in its original format and by using the control in its changed format. By contrast, when the control is removed, the child does not have access to the forbidden function through the control. This is a significant point that the Examiner still fails to appreciate.

The Examiner argues that, "[p]er Okada, existing user interface control can be <u>replaced</u> by new user interface controls (figures 12-26)." Examiner's Answer at page 5 (emphasis added). The Examiner also argues that "the <u>replacing</u> of user interface element is clearly disclosed by Okada in figures 12-27." Examiner's Answer at page 7 (emphasis added). The Examiner's Answer discusses Okada figures 13, 14, and 27, where one control is replaced with another control. Examiner's Answer at page 7. The Examiner's Answer also states that "Moody teaches the changing of the interface element" by changing a child drag interface with a more advanced drag operation. Examiner's Answer at page 7. In each of these examples and arguments, no user interface control is removed. Rather, the presentation format of a control is changed visually or audibly. But the control remains, albeit in a new format. No functionality is removed.

Applicant : Jack WASSOM et al.
Serial No. : 09/224,211
Filed : December 30, 1998
Page : 2

Attorney's Docket No. 06975-033001

Second, neither Moody nor Okada, alone or in combination, teach changing an existing collection of user interface controls by <u>adding</u> a user interface control, as recited in claims 7 and 35. Again, the Examiner argues that Moody and Okada <u>transform</u> a user interface control. But transforming a control visually or audibly is not the same as adding a new control. Claims 7 and 35 plainly recite that the control must be added. Because Okada fails to add a user interface control, Okada does not effect a child-friendly interface by adding age-appropriate features that a child is likely to enjoy. This is another significant point that the Examiner still fails to appreciate.

The Examiner argues that, "[p]er Okada, existing user interface control can be added to the customized user interface (10:21-26; figures 17, 18, 26, 27)." Examiner's Answer at page 6. The Examiner also argues that "the <u>replacing</u> of user interface element is clearly disclosed by Okada in figures 12-27." Examiner's Answer at page 7 (emphasis added). The Examiner's Answer discusses figures 13, 14, and 27 where one control is replaced with another control. Examiner's Answer at page 7. Also, "[i]n figures 26 and 27, the <u>added sound</u> to the interface provides different functions and effects to the user." Examiners Answer at page 7. The Examiner's Answer also states that "Moody teaches the changing of the interface element" by changing a child drag interface with a more advanced drag operation. Examiner's Answer at page 7. In each of these examples given by the Examiner, no user interface control is added. Rather, the presentation format of the control is changed visually or audibly. Adding sound to a control, for example, is not the same as adding a new control. The old control remains, albeit in a new format. No functionality is added.

Third, Appellants would like to point out that the Examiner's Answer appears to contain a typographical error concerning the status of the claims. Specifically, at page 2 the Examiner's Answer states, in error, that "Claims 1, 2, **4-9**, 24-30, 32-47, 52-78 are pending in the application." (emphasis added). It appears that claims "4-9" should have been entered as claims "4-19" because claims 10-19 are still pending and were rejected as being unpatentable over Moody in view of Okada. The Examiner's Answer correctly states that "Claims 3, 20-23, 31, 48-51 were been canceled." Moreover, the Examiner's Answer at page 3 states that "The copy of

the appealed claims contained in the Appendix to the brief is correct." The Appendix lists claims 10-19 as pending. Therefore, claims 1, 2, 4-19, 24-30, 32-47, and 52-78 are pending.

For these reasons, and the reasons stated in the Appeal Brief, Applicant submits that the final rejection should be reversed.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _May 10, 2004_

Scott R. Boalick
Reg. No. 42,337

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

40218073.doc